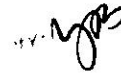


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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MOBILE COMMERCE FRAMEWORK,
INC.,

vs.

Groupon, INC.,

Plaintiff,

Defendant.

Case No. 11cv2586 BEN (BLM)
Related Case Nos.: 11cv481 BEN
(BLM); 11cv2589 BEN (BLM)

**ORDER GRANTING
EMERGENCY MOTION TO
CONSOLIDATE CLAIM
CONSTRUCTION PROCEEDINGS**

[Dkt. No. 15]

On December 28, 2011, Defendant Groupon, Inc. ("Groupon") filed an Emergency Motion to Consolidate Claim Construction Proceedings in this action and related actions, *Mobile Commerce Framework, Inc. v. Foursquare Labs, Inc.*, Case No. 11cv481 BEN (BLM), and *Mobile Commerce Framework, Inc. v. Yelp!, Inc.*, Case No. 11cv2589 BEN (BLM). (Dkt. No. 15.) The actions are related because they involve the same patent. The Court set an expedited briefing schedule for the motion and held a hearing on January 17, 2012. Plaintiff Mobile Commerce Framework ("MCF") and Defendants Foursquare Labs, Inc. ("Foursquare") and Yelp!, Inc. ("Yelp") have filed Oppositions. (Dkt. Nos. 23-24; Dkt. No. 14 in Case No. 11cv2589.) Defendant Groupon has filed a Reply. (Dkt. No. 25.)

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1 The motion to consolidate is **GRANTED**. The Court consolidates claim construction
2 proceedings in the following actions: *Mobile Commerce Framework, Inc. v. Foursquare Labs, Inc.*,
3 Case No. 11cv481 BEN (BLM), *Mobile Commerce Framework, Inc. v. Groupon, Inc.*, Case No.
4 11cv2586 BEN (BLM), and *Mobile Commerce Framework, Inc. v. Yelp!, Inc.*, Case No. 11cv2589
5 BEN (BLM).

6 The consolidated claim construction hearing is set for **June 21, 2012 at 9:00 a.m.**¹ The Court
7 has issued scheduling orders for the *Groupon* and *Yelp* actions that conform to this date. The parties
8 shall meet and confer and provide the Court with a proposed schedule to address any supplemental
9 filings necessary for the *Foursquare* action on or before **January 27, 2012**.

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11 **IT IS SO ORDERED.**

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13 DATED: January 13, 2012


Hon. Roger T. Benitez
United States District Court

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¹As indicated at the January 17, 2012 hearing, the parties' joint tutorial will be held in the morning and the consolidated claim construction hearing will be held in the afternoon.